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Message Text

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PAGE 01 GUATEM 00456 232246Z
ACTION ARA-14

INFO OCT-01 ISO-00 HA-05 SSO-00 /020 W
----------111798 232255Z /75
O 232222Z JAN 78
FM AMEMBASSY GUATEMALA
TO SECSTATE WASHDC IMMEDIATE 8881

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E.O. 11652: N/A
TAGS: SHUM, GT
SUBJ: HUMAN RIGHTS REPORT: COMMENTS ON ARA TEXT

REF: STATE 014179

1. IN THE INTERESTS OF ACCURACY AND DEFENSIBILITY, AND AFTER CAREFUL REVIEW, EMBASSY RECOMMENDS SOME FEW CHANGES IN ARA'S DRAFT (REF) AND REVISED VERSION

2. IN PARAGRAPH TWO OF TEXT, MORE APPROPRIATE RENDERING WOULD BE: "HIS (LAUGERUD'S) EFFORTS MAY RPT MAY HAVE HELPED TO LIMIT SUCH VIOLENCE," SINCE IT IS DIFFICULT TO SAY WHETHER CAMPAIGN VIOLENCE WOULD NOW BE GREATER IF PRESIDENT HAD BEEN MORE PASSIVE IN THIS RESPECT.

3. UNDER "CRUEL, INHUMAN OR DEGRADING TREATMENT" HEADING, AFTER REVIEWING OUR REPORTING FOR CALENDAR 1977, WE WOULD BE HARD PRESSED TO DOCUMENT THAT POLITICAL AND PERSONAL VIOLENCE BY "LOCAL OFFICIALS" IS STILL "RELATIVELY COMMON" IN RURAL AREAS. VIOLENCE IS INDEED SERIOUS PHENOMENON IN RURAL GUATE-MALA. BUT, AS DISCUSSED IN OUR A-107 OF OCTOBER 19, 1977, ASCRIBING RESPONSIBILITY FOR ACTS OF RURAL VIOLENCE IS A TENUOUS BUSINESS. WHILE WE MAY WELL SUSPECT COMPLICITY OF LOCAL OFFICIALS IN GIVEN INCIDENTS, AS IS SOMETIMES HINTED OR EVEN CHARGED IN MEDIA ACCOUNTS, WE BELIEVE AN OFFICIAL
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USG ASSERTION TO THAT EFFECT ON THE PUBLIC RECORD SHOULD REST ON FIRMER FOUNDATIONS. IF DEPARTMENT'S LANGUAGE WAS INTENDED TO EMBRACE THE REPORTED ACTIVITIES OF SOME COMISIONADOS MILITARES, WE WOULD CAUTION THAT THE TERM "LOCAL OFFICIALS" IS NOT A GOOD FIT FOR THE COMISIONADOS WHO ARE UNSALARIED AND WHOSE RELATIONSHIP TO THE AUTHORITIES IS NOT CLEAR-CUT. EVEN WITH RESPECT TO THE ACTIVITIES OF THE COMISIONADOS, HOWEVER,

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COMPLAINTS ARE NOT EQUIVALENT TO DOCUMENTATION. IN SUM, SENTENCE IN QUESTION WILL BETTER BEAR SCRUTINY IF PRECEDED BY THE WORDS "REPORTS OF..." OR SOMETHING SIMILAR.

4. LIKEWISE, WHILE ASSERTION UNDER "ARBITRARY ARREST AND DETENTION" HEADING, THAT DENIAL OF DUE PROCESS OCCURRED IN 1977 MAY BE ACCURATE, IT WILL PROVE DIFFICULT TO DEMONSTRATE WITH FACTS OF RECORD. WE HOPE THIS ASSERTION, TOO, CAN BE COUCHED IN LESS BALD TERMS.

5. IN AN EARLIER VERSION OF THIS TEXT WE GAVE CAREFUL CONSIDERATION TO THE SENTENCE DESCRIBING GUATEMALA'S REGRESSIVE TAX SYSTEM AND ITS BEARING ON SOCIAL AND ECONOMIC INEQUALITIES. WE CONCLUDED THEN, AS NOW, THAT THE SENTENCE SHOULD BE SCRAPPED AS IRRELEVANT AND POSSIBLE INACCURATE. THIS IS BECAUSE SO MUCH OF PUBLIC REVENUE COMES FROM EXPORT AND IMPORT TAXES WHICH, GIVEN PRODUCTION AND CONSUMPTION PATTERNS, FALL MOST HEAVILY ON THE MIDDLE AND UPPER SECTORS.

6. EMBASSY HAS SEEN LATER VERSION OF REFTEL TEXT. COMMENTS ABOVE STILL OBTAIN.

7. ASSISTANT SECRETARY TODMAN HAS SEEN THIS MESSAGE AND CONCURS.
BOSTER

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